

REMARKS/ARGUMENTS

Claims 1-4, 6-11 and 13-22 are pending herein. Claim 1 has been amended to address matters of form only.

Examiner Nasser is thanked for courtesies extended to Applicants' undersigned representative during a telephonic interview on July 17, 2008. The substance of that interview has been incorporated into the following remarks.

1. Claims 1-4, 6-11 and 13-22 were rejected under §112, second paragraph. Examiner Nasser agreed during the interview that the above-outlined amendments to claim 1 would overcome the §112 rejection. Accordingly, reconsideration and withdrawal of the §112 rejection are respectfully requested.

2. Claims 1, 6-8, 10 and 13 were rejected under §103(a) over Cowie in view of Ouellette. This ground of rejection is respectfully traversed.

The PTO relied upon Cowie as allegedly disclosing all the features of claim 1 with the exception of the claimed ambient humidity sensor. The PTO relied upon Ouellette for the alleged disclosure of the claimed ambient humidity sensor, and concluded that one skilled in the art would have found claim 1 obvious in light of these combined references. Applicants respectfully disagree.

Independent claim 1 clearly requires the three recited sensors to be grouped and located within the handheld mobile component and directed toward the acquisition region of the handheld mobile component. The sensors include a temperature sensor for measuring the temperature of the cutaneous surface, a skin moisture sensor for measuring the moisture level of the cutaneous surface, and an ambient humidity sensor. Neither of the applied references discloses an ambient humidity sensor located within a handheld mobile component.

Specifically, as admitted by the PTO, Cowie fails to disclose or suggest an ambient humidity sensor. While Ouellette discloses the use of an ambient humidity sensor, it is clearly not located within a handheld mobile component, as claimed.

Ouellette clearly discloses that the ambient humidity sensor, along with the ambient temperature sensor, are located outside the probe apparatus 10 (which corresponds generally to the claimed handheld mobile component). The location of the ambient temperature and ambient humidity sensor in Ouellette is by design, as those sensors are clearly described as “environmental” sensors, the purpose of which is to sense the ambient temperature and ambient environmental humidity to which the overall skin analyzer 8 itself is subjected (in addition to those conditions to which the subject is subjected). Please see column 5, lines 35-55 of Ouellette in this regard.

It is clear from the foregoing that, to the extent one skilled in the art would have found it obvious to combine the teachings of Cowie and Ouellette, the resultant apparatus would include an ambient humidity sensor positioned outside the handheld unit disclosed in Cowie. To position the ambient humidity sensor within the handheld unit of Cowie would not provide an accurate reading of the ambient humidity to which the overall apparatus is exposed, which is the express purpose of the humidity sensor disclosed in Ouellette. Accordingly, reconsideration and withdrawal of all grounds of rejection based on Cowie and Ouellette are respectfully requested.

During the telephonic interview, Examiner Nasser indicated that he understood the line of arguments submitted above, and indicated that he would update his search upon receipt of the argument in writing.

3. Claims 1, 6, 8 and 16 were rejected under §103(a) over Khazaka in view of Ouellette. This ground of rejection is respectfully traversed for the same reasons explained above. Specifically, the PTO combined Ouellette with Khazaka in the same manner that it combined Ouellette with Cowie. Applicants respectfully submit that, to the extent one skilled in the art would have found it obvious to combine Khazaka and Ouellette as asserted in the Office Action, the resulting structure would still not include an ambient humidity sensor located within a handheld mobile component, as claimed. Accordingly, reconsideration and withdrawal of all grounds of rejection based on Khazaka and Ouellette are respectfully requested.

4. The rejections of claims 2-4, 9, 11, 14, 15 and 17-22, as set forth on pages 4-6 of the Office Action, are noted, but deemed moot in view of the arguments submitted above with respect to independent claim 1.

Applicants respectfully submit that all pending claims herein are in condition for allowance. Accordingly, Examiner Nasser is requested to issue a Notice of Allowance for all pending claims in due course.

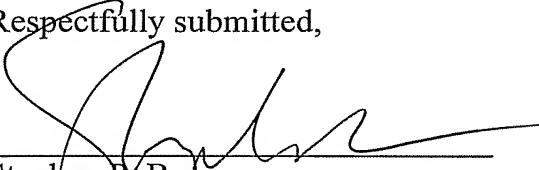
Should Examiner Nasser deem that any further action by the Applicants would be desirable in placing this application in even better condition for issue, he is requested to telephone Applicants' undersigned representative.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

July 18, 2008

Date

Respectfully submitted,



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